



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,687	02/20/2004	Edward Behrens	37373-0500	7001

21611 7590 07/12/2007
SNELL & WILMER LLP (OC)
600 ANTON BOULEVARD
SUITE 1400
COSTA MESA, CA 92626

EXAMINER

BUI, HUNG S

ART UNIT	PAPER NUMBER
----------	--------------

2841

MAIL DATE	DELIVERY MODE
-----------	---------------

07/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/783,687	Applicant(s) BEHRENS ET AL.	
	Examiner Hung S. Bui	Art Unit 2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,8-18,24-30 and 37-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5,8-18 and 37-41 is/are allowed.
- 6) ☒ Claim(s) 24-28,30 and 42 is/are rejected.
- 7) ☒ Claim(s) 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 24, 28, 30 and 42 are rejected under 35 U.S.C. 102(b) as being anticipated by Young et al. [US 6,018,456].

Regarding claims 24 and 42, Young et al. disclose a rack (figures 1-4), comprising:

- a rack frame (12) to house one or more electrical devices (figure 1);
- an interface column/midplane (20) coupled to the rack frame, the interface column including:
 - o one or more interfaces (22, figure 3) for electrically coupling to the one or more electrical devices housed in the rack frame; and
 - o an electrically conductive bus coupled to the one or more interfaces to reduce the number of separate cables running along the rear portion of the rack frame (figure 4);
 - o a control module (column 7, lines 43-67) coupled to the electrically conductive bus in the interface column to provide management access to the one or more electrical device coupled to the interface column.

Regarding claims 28 and 30, Young et al. further disclose wherein the control module is further configured to provide a connection between the devices and the midplane.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al. in view of Bottom et al. [US 2002/0194412].

Regarding claims 25-26, Young et al. disclose the instant claimed invention except for the control module provides keyboard, mouse and video access to the interface column.

Bottom et al. disclose a modular server system (figures 1-3) having at least one controller provides keyboard/mouse/serial port and video access through a connector mounted on a midplane and permit electrical devices coupled to the interface column to share a peripheral device.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the controller design of Bottom et al. in Young et al., for the purpose of input data into the computer system.

5. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Young et al. in view of Orenshteyn [US 2002/0184398].

Regarding claim 27, Gamble et al. disclose the instant claimed invention except for the control module provides centralization security access to the electrical devices.

Orenshteyn discloses a computer system (figures 1-2) using a controlling device that provides centralization security access to electronic device.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the controller design of Orenshteyn, in the system of Young et al, in order to control and secure operating system.

Response to Arguments

6. Applicant's arguments filed 04/24/2007 have been fully considered but they are not persuasive.

(*) Examiner is acknowledged all arguments regarding to claims 1-5, 8-18 and 37-41, in the remark on pages 8-12. Therefore, the claims 1-5, 8-18 and 37-41 are allowed.

- In additionally, applicant argues that:

[1]: Young does not teach or suggest "a control module coupled to the electrically conductive bus in the interface column to provide management access to the one or more electrical devices coupled to the interface column."

[2]: Young does not teach or suggest "wherein the control module is further configured to permit a user to remotely control one or more of the electrical devices coupled to the interface column."

[3]: Young does not teach or suggest "wherein the control module is further configured to remotely control one or more electrical devices coupled to an interface column of another rack frame." (respect to claim 29).

[4]: Young does not teach or suggest "wherein the control module is further configured to automate management of the one or more electrical devices based on user programmable rules." (respect to claim 30).

[5]: Bottom does not teach or suggest "wherein the control module provides keyboard and video access to the one or more electrically device coupled to the interface column."

[6]: Young does not teach or suggest "wherein the interface module is hot-swappable to permit adding or removing electrical devices without the need to power off other components in the rack by using a detect-and-enable protection circuitry that identifies when new devices have been connected or come online and enabling them through the detect-and-enable protection circuitry."

Examiner disagrees:

- Regarding to [1], Young does teach a control module (being installed at a slot 50, with a control buttons 55b, as shown in figures 2 and 9) coupled to the electrically conductive bus in the interface column (20, figure 8) to provide management access to the one or more electrical devices coupled to the interface column (column 6, lines 34-47).

- Regarding to [2], Young does teach wherein the control module is further configured to permit a user to remotely control one or more of the electrical devices coupled to the interface column (column 6, lines 57-68).

- Regarding to [3], Examiner is acknowledged about "Young does teach wherein the control module is further configured to remotely control one or more electrical devices coupled to an interface column of another rack frame." (respect to claim 29). This claim has been objected due to depend on the rejection claim 24.

- Regarding to [4], Young does teach wherein the controller being configured to cooperate with various number of electrical devices when the electrical devices are inserted into the system (column 1, lines 19-26).

- Regarding to [5], Bottom does teach wherein the control module provides keyboard and video access to the one or more electrically device coupled to the interface column (page 3, paragraph 0029).

- Regarding to [6], Examiner is acknowledged about Young does not teach or suggest "wherein the interface module is hot-swappable to permit adding or removing electrical devices without the need to power off other components in the rack by using a detect-and-enable protection circuitry that identifies when new devices have been connected or come online and enabling them through the detect-and-enable protection circuitry." This claim has been allowed as respect to claims 3 and 18.

Allowable Subject Matter

7. Claims 1-5, 8-18 and 37-41 are allowed.

The following is an examiner's statement of reasons for allowance: in **claim 1**, applicant states that the limitation "one or more backplane modules including one or more interfaces for electrically coupling to the one or more electrical devices housed in the rack frame," in combination with "a midplane module coupled to the electrically conductive bus for concentrating access to the one or more electrical devices coupled to the one or more backplane modules, wherein the midplane module is communicatively coupled to the one or more backplane module." This limitation, in conjunction with other limitation as claimed in the claim 1, was neither found to be disclosed, nor suggested by the prior art. **Claims 2-5, 8-18 and 37-41** are allowed due to depend on the claim 1. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Claim 29 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The cited reference fails to teach or suggest the control module is configured to remotely control one or more electrical devices coupled to an interface column of another rack frame.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung S. Bui whose telephone number is (571) 272-2102. The examiner can normally be reached on Monday-Friday 8:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean A Reichard can be reached on (571) 272-1984. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Art Unit: 2841

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

06/30/2007

Hung Bui

Art Unit 2841


DEAN A. REICHARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800
7/9/07